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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,308	02/24/2004	Akio Abiko	441/1/018	2090

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EXAMINER

A, MINH D

ART UNIT PAPER NUMBER

2821

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/785,308

Applicant(s)

AKIO ABIKO

Examiner

Minh D. A

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being unpatentable by Winsor (US 5,319, 282).

Regarding claim 1, Winsor discloses a wide illumination range photo-luminescent lamp (10) comprise a pair of a ultraviolet light-emitting discharge tube and a white visible light-emitting discharge tube that are alternately and periodically placed in a lighted state and an unlighted state, such that a state of illumination using only one of said ultraviolet light-emitting discharge tube and said white visible light-emitting discharge tube is realized in at least part of a time domain during the period, the illuminator (10) comprising a hot-cathode tube (54) used for at least one of said ultraviolet light-emitting discharge tube and said white visible light-emitting discharge tube, said hot-cathode tube (54) being arranged state where a heating power supply (74) for heating filaments, and an illuminating power supply (51, 53, 55) for enabling motion thermo-electrons within said hot-cathode(54) tube and at the same time periodic repetition of the lighted state and unlighted state, are capable of executing and interrupting application of voltage, independently of each other. See figures 2-8, col.6, lines 46-68 to col.17, lines 1-67.

Regarding claim 2, Winsor discloses a cold-cathode tube (56) employed as discharge tube having no heating power supply arranged therein. See figures 2-11.

Regarding claim 3, Winsor discloses the cold- cathode tube (54) is used as a backlight. See col.2, lines 25-36.

Allowable Subject Matter

3. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art does not teach that, a plurality of pairs of light sources for ultraviolet light and white visible light are arranged, and a computer controls selection of a pair of light sources and periodic application of voltages from power supplies to the selected pair of light sources recited in dependent claim 4.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Baretz et al (US 6,600,175) and Tews et al (US 6,396,081) are cited to show a illumination lamp.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.


Don Wong
Supervisory Patent Examiner
Technology Center 2800

Examiner

Minh A

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4/27/05